

Calvin J. Stacey
Morgan M. Sorena
STACEY & FUNYAK
P.O. Box 1139
Billings, MT 59103-1139
Phone: (406)259-4545
cstacey@staceyfunyak.com
msorena@staceyfunyak.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

HOLBROOK HOLDINGS, INC.)	CAUSE NO.: CV-24-175-BU-JTJ
)	
Plaintiff,)	Judge John Johnston
)	
v.)	DEFENDANT MARC COHODES'
)	SPECIAL MOTION TO STRIKE/
MARC COHODES,)	ANTI-SLAPP MOTION PURSUANT
)	TO O.C.G.A. § 9-11-11.1
Defendant.)	

Defendant Marc Cohodes (“Cohodes”), by and through his counsel of record, hereby submits this Motion pursuant to O.C.G.A., § 9-11-11, Georgia’s “Anti-SLAPP” statute, as Georgia substantive law applies to this action and the statements which form the basis of Plaintiff Holbrook’s claims against Cohodes were statements made by Cohodes in furtherance of his right to free speech in connection with an issue of public interest or concern which could affect large numbers of people beyond the direct participants. Further, the subject of the speech, Holbrook,

was an entity in the public eye. Accordingly, this Court must strike Holbrook's claims against Cohodes as there is no probability that Holbrook has will prevail on the claim.

Counsel for Holbrook has been contacted regarding this Motion pursuant to Local Rule 7.1(c)(1) and object to it.

DATED this 25th day of February, 2025.

STACEY & FUNYAK

By: /s/Calvin J. Stacey
Calvin J. Stacey
Morgan M. Sorena
Stacey & Funyak
100 N. 27th Street, Suite 700
Billings, MT 59101
cstacey@staceyfunyak.com
msorena@staceyfunyak.com

Counsel for Defendant Marc Cohodes

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of February, 2025, a copy of the foregoing ***Defendant Marc Cohodes' Special Motion to Strike/Anti-SLAPP Motion Pursuant to O.C.G.A. § 9-11-11.1*** was served upon the following counsel of record by the following means:

<u>1,2,3</u>	CM/ECF
_____	Hand Delivery
_____	U.S. Mail

1. Clerk of Court
2. Matthew J. Kelly
Tarlow Stonecipher Weamer & Kelly, PLLC
1705 West College Street
Bozeman, MT 59715
mkelly@lawmt.com
3. Andrew C. Phillips (*Pro Hac Vice*)
Shannon B. Timmann (*Pro Hac Vice*)
Hannah Menchel (*Pro Hac Vice*)
MEIER WATKINS PHILLIPS PUSCH LLP
919 18th Street NW, Suite 650
Washington, DC 20006
Email: andy.phillips@mwpp.com
Email: shannon.timmann@mwpp.com
Email: hannah.menchel@mwpp.com

By: /s/Calvin J. Stacey